

1 MICHAEL A. JACOBS (CA SBN 111664)
MJacobs@mofo.com
2 ARTURO J. GONZÁLEZ (CA SBN 121490)
AGonzalez@mofo.com
3 ERIC A. TATE (CA SBN 178719)
ETate@mofo.com
4 RUDY Y. KIM (CA SBN 199426)
RKim@mofo.com
5 MORRISON & FOERSTER LLP
425 Market Street
6 San Francisco, California 94105-2482
Telephone: 415.268.7000
7 Facsimile: 415.268.7522

8 KAREN L. DUNN (*Pro Hac Vice*)
kdunn@bsflp.com
9 HAMISH P.M. HUME (*Pro Hac Vice*)
hhume@bsflp.com
10 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, N.W.
11 Washington DC 20005
Telephone: 202.237.2727
12 Facsimile: 202.237.6131

13 Attorneys for Defendants
UBER TECHNOLOGIES, INC.
14 and OTTOMOTTO LLC

15 UNITED STATES DISTRICT COURT
16 NORTHERN DISTRICT OF CALIFORNIA
17 SAN FRANCISCO DIVISION

18 WAYMO LLC,
19 Plaintiff,
20 v.
21 UBER TECHNOLOGIES, INC.,
22 OTTOMOTTO LLC; OTTO TRUCKING LLC,
23 Defendants.

Case No. 3:17-cv-00939-WHA

**DECLARATION OF
MICHELLE YANG IN SUPPORT OF
DEFENDANTS' ADMINISTRATIVE
MOTION TO FILE UNDER SEAL
PORTIONS OF THEIR LETTER
BRIEF IN OPPOSITION TO
WAYMO'S MOTION TO COMPEL
UBER TO PRODUCE 1) TRAVIS
KALANICK'S TEXT MESSAGES
AND PHONE AND 2) DOCUMENTS
RESPONSIVE TO WAYMO'S
REQUEST FOR PRODUCTION NO.
256**

I, Michelle Yang, declare as follows:

1. I am an attorney at the law firm of Morrison & Foerster LLP. I make this declaration based upon matters within my own personal knowledge and if called as a witness, I could and would competently testify to the matters set forth herein. I make this declaration in support of Defendants' Administrative Motion to File Under Seal Portions of Their Letter Brief in Opposition to Waymo's Motion to Compel Uber to Produce 1) Travis Kalanick's Text Messages and Phone and 2) Documents Responsive To Waymo's Request for Production No. 256.

2. I have reviewed the following documents and confirmed that only the portions identified below merit sealing:

Document	Portions to Be Filed Under Seal	Designating Party
Letter Brief in Opposition to Waymo's Motion to Compel ("Letter Brief")	Highlighted Portions	Plaintiff (green)

3. The green-highlighted portions of the Letter Brief contain information that has been designated "Highly Confidential – Attorneys' Eyes Only" by Waymo in accordance with the Patent Local Rule 2-2 Interim Model Protective Order ("Protective Order"), which the parties have agreed governs this case (Transcript of 3/16/2017 Hearing, page 6). Defendants file this material under seal in accordance with Paragraph 14.4 of the Protective Order. Defendants' request to seal is narrowly tailored to the portions of the Letter Brief and its supporting papers that merit sealing.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 10th day of August, 2017 at San Francisco, CA.

/s/ Michelle Yang

Michelle Yang

ATTESTATION OF E-FILED SIGNATURE

I, Arturo J. González, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Michelle Yang has concurred in this filing.

Dated: August 10, 2017

/s/ Arturo J. González
Arturo J. González